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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/815,239

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Ratinder Paul Singh Ahuja

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08/19/2008

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EXAMINER

CHEN, SHIN HON

ART UNIT

PAPER NUMBER

2131

MAIL DATE

DELIVERY MODE

08/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/815,239	AHUJA ET AL.	
	Examiner	Art Unit	
	SHIN-HON CHEN	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/5/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/5/08 has been entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7-12 and 14-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Peled et al. U.S. Pub. No. 20020129140 (hereinafter Peled).

5. As per claim 1, Peled discloses a computer implemented method comprising: maintaining a plurality of stored signatures, each signature being associated with one of a plurality of registered documents (Peled: [0013]: signature of protected data is stored); intercepting packets

Art Unit: 2131

being transmitted over a network (Peled: [0055]: the network is a packet network and the transport data monitor enable the signature extractor to extract a signature from a buffered/intercepted batch of packets); reassembling the packets into an intercepted document (Peled: [0055] lines 3-4: buffered batch of packets); calculating a set of signatures associated with the intercepted document (Peled: [0054]-[0056]: extract signature and the signature extractor comprises a binary hash function used to calculate signatures); and comparing the set of signatures associated with the intercepted document with the plurality of stored signatures (Peled: [0020]: comparator).

6. As per claim 2, Peled discloses the method of claim 1. Peled further discloses wherein each registered document is associated with a user that requested registration of the document (Peled: [0011]: protect rightful usage and privacy of users; [0019]: the database of at least one preobtained description of content whose movement it is desired to monitor).

7. As per claim 3, Peled discloses the method of claim 1. Peled further discloses if the comparison results in a match of at least one of the signatures in the set of signatures with one or more of the plurality of stored signatures, then detecting registered content from the registered document being contained in the intercepted document (Peled: [0027]: multilevel description includes signature).

Art Unit: 2131

8. As per claim 4, Peled discloses the method of claim 3. Peled further discloses alarming the user that requested registration of the registered document in response to detecting the registered content (Peled: [0092]: taking enforcement action).

9. As per claim 5, Peled discloses the method of claim 3. Peled further discloses halting delivery of the intercepted document (Peled: [0079]).

10. As per claim 7, Peled discloses the method of claim 1. Peled further discloses wherein calculating the set of signatures of the intercepted document comprises calculating a plurality of hashes over one or more portions of the intercepted object (Peled: [0057]: hash).

11. As per claim 8-12 and 14-23, claims 8-12 and 14-23 encompass the same scope as claims 1-5 and 7. Therefore, claims 8-12 and 14-23 are rejected based on the same reasons set forth above in rejecting claims 1-5 and 7.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2131

13. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peled in view of Koike U.S. Pub. No. 20030084300 (hereinafter Koike).

14. As per claim 6, 13 and 21, Peled discloses the method of claims 5, 12 and 20 respectively. Peled does not explicitly disclose prompting the user that registered the registered document for permission to deliver the intercepted object, receiving permission from the user, and completing delivery of the intercepted object in response to receiving permission. However, Koike discloses when a privacy data administrator detects a match in the privacy filter, transmit a inquiry to user as to whether it is allowed to provide the data, and provide data upon permission by user (Koike: [0024]). It would have been obvious to one having ordinary skill in the art to allow the owner of the data to determine the action to be performed upon detection of unauthorized transport because both prior art disclose prevention of protected data from unauthorized access. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Koike within the system of Peled because it enforces dynamic rules on the user preference.

Response to Arguments

15. Applicant's arguments filed 8/5/08 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant argues that the prior art of record does not explicitly disclose reassembling the packets into an "**entire file**". However, the claims as

Art Unit: 2131

presented do not disclose the term “entire file” and the term "entire file" does not differentiate from the buffered batch of packets, which signature is calculated based on (Peled: [0055]).

Therefore, applicant’s argument is traversed.

On the other hand, applicant argues that the prior art of record fails to disclose that each registered document is associated with a user that requested registration of the document.

However, the examiner disagrees. Peled discloses the system contains a database that contains pre-obtained description which means that a user is indicating certain contents to be monitored and the content to be monitored is “associated” with the user because the user made the request.

Therefore, applicant's argument is traversed in light of above explanation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789.

The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen
Primary Examiner
Art Unit 2131

/Shin-Hon Chen/
Primary Examiner, Art Unit 2131